

**SSB 5638** - H COMM AMD

By Committee on Local Government & Housing

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 52.12.031 and 1995 c 369 s 65 are each amended to read as follows:

(1) Any fire protection district organized under this title may:

~~((1))~~ (a) Lease, acquire, own, maintain, operate, and provide fire and emergency medical apparatus and all other necessary or proper facilities, machinery, and equipment for the prevention and suppression of fires, the providing of emergency medical services and the protection of life and property;

~~((2))~~ (b) Lease, acquire, own, maintain, and operate real property, improvements, and fixtures for housing, repairing, and maintaining the apparatus, facilities, machinery, and equipment described in subsection (1) of this section;

~~((3))~~ (c) Contract with any governmental entity under chapter 39.34 RCW or private person or entity to consolidate, provide, or cooperate for fire prevention protection, fire suppression, investigation, and emergency medical purposes. In so contracting, the district or governmental entity is deemed for all purposes to be acting within its governmental capacity. This contracting authority includes the furnishing of fire prevention, fire suppression, investigation, emergency medical services, facilities, and equipment to or by the district, governmental entity, or private person or entity;

~~((4))~~ (d) Encourage uniformity and coordination of fire protection district operations. The fire commissioners of fire protection districts may form an association to secure information of value in suppressing and preventing fires and other district purposes, to hold and attend meetings, and to promote more economical and efficient operation of the associated fire protection districts. The commissioners of fire protection districts in the association shall

1 adopt articles of association or articles of incorporation for a  
2 nonprofit corporation, select a chairman, secretary, and other officers  
3 as they may determine, and may employ and discharge agents and  
4 employees as the officers deem convenient to carry out the purposes of  
5 the association. The expenses of the association may be paid from  
6 funds paid into the association by fire protection districts:  
7 PROVIDED, That the aggregate contributions made to the association by  
8 a district in a calendar year shall not exceed two and one-half cents  
9 per thousand dollars of assessed valuation;

10 ~~((+5+))~~ (e) Enter into contracts to provide group life insurance  
11 for the benefit of the personnel of the fire districts;

12 ~~((+6+))~~ (f) Perform building and property inspections that the  
13 district deems necessary to provide fire prevention services and pre-  
14 fire planning within the district and any area that the district serves  
15 by contract in accordance with RCW 19.27.110: PROVIDED, That codes  
16 used by the district for building and property inspections shall be  
17 limited to the applicable codes adopted by the state, county, city, or  
18 town that has jurisdiction over the area in which the property is  
19 located. A copy of inspection reports prepared by the district shall  
20 be furnished by the district to the appropriate state, county, city, or  
21 town that has jurisdiction over the area in which the property is  
22 located: PROVIDED, That nothing in this subsection shall be construed  
23 to grant code enforcement authority to a district. This subsection  
24 shall not be construed as imposing liability on any governmental  
25 jurisdiction;

26 ~~((+7+))~~ (g) Determine the origin and cause of fires occurring  
27 within the district and any area the district serves by contract. In  
28 exercising the authority conferred by this subsection, the fire  
29 protection district and its authorized representatives shall comply  
30 with the provisions of RCW ~~((48.48.060))~~ 43.44.050;

31 ~~((+8+))~~ (h) Perform acts consistent with this title and not  
32 otherwise prohibited by law.

33 (2)(a) Any contract for fire protection and/or emergency medical  
34 services between a fire protection district and (i) a government entity  
35 under RCW 52.30.020; (ii) a private person; or (iii) a commercial  
36 entity must provide for adequate compensation.

37 (b) The adequate compensation requirement in (a) of this subsection  
38 does not apply to: Agreements existing on the effective date of this

1 section; mutual aid agreements entered into by fire protection  
2 districts; agreements between fire protection districts and the  
3 department of natural resources; schools; libraries; or where the  
4 compensation requirements of the agreement are defined elsewhere in  
5 statute.

6 (c) "Adequate compensation" means the person or entity receiving  
7 the services must pay the same amount that would be collected by the  
8 fire district if the property was subject to the fire district levy.

9 (3) A fire protection district may not provide fire service  
10 protection or emergency medical services to any government entity or  
11 private person or commercial entity outside of their fire district  
12 without the express consent of the fire district, if any, in which the  
13 property is located."

14 Correct the title.

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